

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

TOM J. FRYE,)	
)	
Plaintiff,)	4:98CV3105
)	
v.)	
)	
YOUNG MEN'S CHRISTIAN)	ORDER
ASSOCIATION of Lincoln,)	
Nebraska,)	
)	
Defendant.)	
)	

This matter is before the Court on plaintiff Tom Frye's motion to compel (Filing No. [42](#)), motion to seal document (Filing No. [56](#)), and motion to enter The Jewel Folk book into evidence (Filing No. [57](#)), and on defendant Young Men's Christian Association's ("YMCA") motion for protective order (Filing No. [45](#)). The Court finds that plaintiff's motions to seal document and to enter The Jewel Folk book into evidence (Filing Nos. [56](#), [57](#)) should be granted. It is noted that with respect to the plaintiff's motion to compel and the defendant's motion for a protective order that the parties agreed at a hearing before the Court on April 21, 2009 that the subject matter of these motions would be submitted to the Court for its use in evaluating the merits of the motion for contempt. That same day, the Court ordered the parties to file their program scripts (See Filing No. [48](#)), which both parties have done (See Filing Nos. [49](#), [54](#)). The

motions to compel and for a protective order are therefore moot.
Accordingly,

IT IS ORDERED:

- 1) Plaintiff's motion to seal document (Filing No. 56) is granted;
- 2) Plaintiff's motion to enter The Jewel Folk into evidence (Filing No. 57) is granted;
- 3) Plaintiff's motion to compel (Filing No. 42) and defendant's motion for protective order (Filing No. 45) are denied as moot.

DATED this 11th day of May, 2009.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court